

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**AVANTE CONTRACTING CORP and
UPLAND SPECIALTY INSURANCE
COMPANY,**

Plaintiffs,

-against-

NORTHFIELD INSURANCE COMPANY,

Defendant.

[illegible]

1:23-cv-10842 (ALC) (JW)

ORDER

ANDREW L. CARTER, JR., United States District Judge:

This Court is in receipt of the Parties' cross motions for summary judgment. In reviewing both motions and the applicable law, the Court has become aware of and requests supplemental briefing on the following cases:

- *Fid. & Guar. Insurance Co. v. Accredited Sur.*, 2025 U.S. Dist. LEXIS 9173 (S.D.N.Y. Jan. 16, 2025)
- *Grand Crossing, L.P. v. United States Underwriters Ins. Co.*, 2007 U.S. Dist. LEXIS 94244 (S.D.N.Y. Dec. 11, 2007)
- *United States Underwriters Ins. Co. v. United Pac. Assocs., LLC*, 2006 U.S. Dist. LEXIS 30080 (E.D.N.Y. May 16, 2006)

The Parties are therefore each directed to file a letter with the Court as to whether the above cases impact the arguments presented in their summary judgement motions, and if so, how it impacts their arguments. Each letter brief must follow this Court's Individual Practices and shall

not exceed 3 pages. Opening letter briefs are due from each party by May 30, 2025. Any response is due by June 4, 2025.

SO ORDERED.

Dated: May 23, 2025

New York, New York

A handwritten signature in black ink, appearing to read "Andrew L. Carter, Jr.", written in a cursive style.

ANDREW L. CARTER, JR.
United States District Judge